

**CONTROLLED SUBSTANCES BOARD
MADISON, WI
MINUTES
JUNE 24, 2003**

PRESENT: Cynthia Benning, R.Ph. Robert Block, Doug Englebert, R.Ph; Thomas Rudy, Ph.D.

STAFF PRESENT: Thomas Ryan, Bureau Director; William Black, Legal Counsel; Pamela Meicher and DOE Staff for portions of the meeting.

EXCUSED: Yvonne Bellay

GUESTS: Tony Driessen, American Chemistry Council
Michael Grafton, Thomas B. Hill and James F. Bohn, Drug Enforcement Administration
R. Martin Smith

CALL TO ORDER

Cynthia Benning, Chair, called the meeting to order at 9:00 a.m. A quorum of 4 members was present.

AGENDA

Addition to agenda: Letter from Bob Gagne, Public Affairs Consultant to Orphan Medical

MOTION: Thomas Rudy moved, seconded by Doug Engelbert, to approve the agenda with an addition. Motion carried unanimously.

MINUTES OF APRIL 2, 2003, 2003

Amendments to Minutes of 04/02/03:

On page 2 of the minutes, first paragraph, delete "The Board is cooperating with the Department of Justice (DOJ) to determine where liability lies when these substances are used as a depressant and where liability lies when these substances are used as a stimulant."

On Page 5 of the minutes, the ADJOURNMENT motion should read: Thomas Rudy moved, seconded by Robert Block, to adjourn the meeting at 11:30 a.m. Motion carried unanimously.

MOTION: Robert Block moved, seconded by Doug Englebert, to approve the minutes of April 2, 2003 as amended. Motion carried unanimously.

BOARD MEMBER CHANGES

Kenneth I. Robbins, psychiatrist member appointed by the Governor, has resigned. His term expired 07/21/03.

Thomas Rudy, Ph.D., Pharmacologist member, would like to be replaced on the Board. His term expired 07/21/03. Dr. Rudy will provide names for his vacancy to the Department.

ELECTION OF BOARD SECRETARY

MOTION: Thomas Rudy moved, seconded by Doug Englebert, to nominate Yvonne Bellay as Board Secretary. Motion carried unanimously.

DISCUSSION OF GHB LANGUAGE

The Board discussed four language proposal options for 1,4-Butanediol. The Board decided to use version four of the proposal provided by Robert Block with a small change. William Black, Legal Counsel, will send the updated language to DOJ for use in the letter that they send to the Attorney General's office, with a copy to the Secretary of DORL.

MOTION: Robert Block moved, seconded by Doug Englebert, to accept the GHB language (GBL, BDO) as provide in version 4, as provided by Robert Block with changes and to send to the Legislative Reference Bureau. Motion carried unanimously.

MOTION: Doug Englebert moved, seconded by Robert Block, to support that DOJ write a letter to the Board, with a copy to the Secretary of DORL, in support of the GHB language as provided in the memo from Robert Block (version 4) to William Black. Motion carried unanimously.

MOTION: Thomas Rudy moved, seconded by Doug Englebert, to allow Tom Ryan to draft a letter from the CSB to the Attorney General's office in support of the GHB language as provided in the memo from Robert Block (version 4) to William Black. Motion carried unanimously.

A hearing will be held on August 6, 2003, public comments are due, and it will be sent to the Legislature for 30 days and then be sent back to the Board for approval. The rule may become effective in December or January.

UPDATE ON BUPRENORPHINE

Pamela Haack will provide the board with an update on Buprenorphine at the August 6, 2003 meeting.

LATE RENEWALS

The Board discussed its concerns regarding late renewals. Currently, no enforcement mechanism exists for addressing late renewals. The Board would like to require a late fee after 30 days. The Board requested an update on LRB-0511/P1, a bill proposing assessments for failure to renew SUAs if the application for renewal is received more than 30 days after the renewal date.

Currently renewal letters are sent out two months prior to the expiration date and the Department takes appropriate action.

DOG TRAINER GUIDELINE SHEET – REVIEW

The Board decided to discontinue the use of the Dog Trainer Guideline form # 2240.

SPECIAL USE AUTHORIZATION APPLICATIONS

SARAH ANN LIND – THREE DOG CANINE TRAINING

The Board recommended that Sarah Ann Lind provide the Department with a letter of sponsorship from the Wisconsin Dells Police Department in order for her to store and use the controlled substance. Ms. Lind has been deputized. She would also need to have a bolted lock box for transportation of the drugs before the Board would be willing to grant her SUA request.

HUSAN MUKHTAR – UNIVERSITY OF WISCONSIN-DERMATOLOGY

MOTION: Thomas Rudy moved, seconded by Doug Englebert, to approve the SUA request of Husan Mukhtar, University of Wisconsin-Dermatology, and to approve the 10ml bottle of ketamine hydrochlorine to cover a three year period. Motion carried unanimously.

KRISTOPHER SHAFMAN – SHAWANO COUNTY HUMANE SOCIETY

MOTION: Thomas Rudy moved, seconded by Doug Englebert, to approve the SUA request of Kristopher Shafman, Shawano County Humane Society. Motion carried unanimously.

ALAN ATTIE – UW DEPT. OF BIOCHEMISTRY

MOTION: Thomas Rudy moved, seconded by Robert Block, to approve the SUA request of Alan Attie, UW Dept. of Biochemistry. Motion carried unanimously.

M. BEHNAM GHASEMZADEH-MARQUETTE UNIVERSITY

MOTION: Thomas Rudy moved, seconded by Doug Englebert, to approve the SUA request for M. Behnam Ghasemzadeh, Marquette University. Motion carried unanimously.

DOE MONTHLY DRUG THEFT AND LOSS REPORT

The Board noted the DOE Monthly Drug Theft and Loss Report which includes information on distributors, pharmacies and in transit drugs.

DRUG SUMMARY REPORTS

The Board reviewed drug summary reports from Madison, Milwaukee and Wausau and the Semi Annual Drug Price Survey. It was noted that Bill Wallucks of the Division of Criminal Investigation at DOJ, has retired. Robert Block asked the Board who should receive the monthly statistics report. The Board has requested that the monthly statistics report, from DOJ, be sent to Tom Ryan, Bureau Director.

MONTHLY DRUG THEFT & LOSS REPORT

The Board reviewed the report of monthly drug theft and loss report.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES, ADMINISTRATIVE RULES AND LEGISLATION

Noted.

REVIEW OF DEA FINAL RULE, AMT AND 5-MEO-DIPT

The Board reviewed the final rule to place AMT and 5-MeO-DIPT into Schedule I of the Controlled Substance Act. This final action is based on finding by the DEA Deputy Administrator that the placement is necessary to avoid an imminent hazard to public safety.

INFORMATIONAL ITEMS

Doug Engelbert gave an overview of the SCAODA meeting he attended. Currently there are three task force groups working on underage alcohol abuse. The task force groups are putting recommendations together on how they are approaching alcohol abuse by children age nine and under.

Michael Grafton provided a status report on buprenorphine products. He believes there are around thirteen doctors that can deal with methadone and have authority to administer these products under the Center for Substance Abuse Treatment centers. Doug Englebert will provide the Board with the methadone treatment center information.

Robert Block provided the Board with a report covering drug problems in Wisconsin. He believes the article will be published in the next Law Enforcement Bulletin. The report ranks the problem drugs in Wisconsin-2003.

ADJOURNMENT

MOTION: Robert Block moved, seconded by Doug Englebert, to adjourn the meeting at 10:54 a.m. Motion carried unanimously.

**Next Meeting: Wednesday, August 6, 2003 – 9:00 a.m.
Room 179A**